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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PHILLIP FORMAN, an individual,

Plaintiff,

vs.

UNITED HEALTH PRODUCTS, INC., a
Nevada domestic corporation; and
DOUGLAS K. BEPLATE, an individual,

Defendant.

Case Number:
2:19-cv-519-GMN-VCF

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO FILE JOINT
PRE-TIRAL ORDER
(SECOND REQUEST)**

Plaintiff, Phillip Forman (“Dr. Forman” or “Plaintiff”), by and through his attorneys, the law firms of Marquis Aurbach and Carmel, Milazzo & Feil, LLP and Defendants United Health Products, Inc. (“UHP”) and Douglas K. Beplate (“Beplate”) (collectively referred to herein as the “Defendants”), by and through their counsel of record, Frank H. Cofer III, Esq., of the law firm of Cofer & Geller, LLC, and Howard R. Birnbach, Attorney at Law, hereby stipulate as follows.

SUMMARY OF RELIEF REQUESTED

This stipulation is a request to extend the current deadline to file a joint pre-trial Order, as set forth in an Order of this Honorable Court, dated February 14, 2022 and as extended pursuant to the parties’ first request for an extension of same by Court Order dated March 8, 2022. Currently, the joint pre-trial Order is due to be filed on March 21, 2022. The parties

1 are respectfully requesting a two (2) week extension, such that the joint pre-trial Order be due
2 on April 4, 2022.

3 Pursuant to LR IA 6-1

4 (a) A motion or stipulation to extend time must state the reasons
5 for the extension requested and must inform the court of all previous
6 extensions of the subject deadline the court granted...A request
7 made after the expiration of the specified period will not be granted
8 unless the movant or attorney demonstrates that the failure to file the
9 motion before the deadline expired was the result of excusable
neglect. Immediately below the title of the motion or stipulation
there also must be a statement indicating whether it is the first,
second, third, etc., requested extension, i.e.

10 **STIPULATION TO EXTEND TIME TO FILE MOTIONS**
11 **(Second Request)**

12 *See*, LR IA 6-1

13 The parties therefore submit this stipulation to in order to request an extension of time
14 within which to file a joint pre-trial Order in compliance with LR IA 6-1.

15 The joint pre-trial Order is currently due to be filed on March 21, 2022. The parties
16 are respectfully requesting an extension of two (2) weeks, bringing the new due date up to and
17 including April 4, 2022. The reasons for the instant request are as follows. First, while some
18 of the issues for trial have been simplified following this Honorable Court's Decision and
19 Order on each parties' motion for summary judgment, there is still a complexity of factual
20 matters with respect to claims which were not subjects of either motion for summary
21 judgment, including which of the purported facts are legitimately contested or uncontested.
22 The parties are still working on resolving these issues and are negotiating which facts are
23 admitted without proof, which will not be contested with evidence, and which are to be tried
24 and decided. In addition, the parties require more time to set forth their objections to the
25 depositions.

26 In addition, the parties have had additional settlement negotiations. The undersigned
27 believes that the brief extension sought may help facilitating same by 'keeping money on the
28 table' which would otherwise go towards legal fees in preparing the pre-trial Order. Further,

1 the undersigned believes that a settlement may be facilitated by reserving contentious issues
2 required for the pre-trial Order until negotiations are no longer productive.

3 Accordingly, the parties respectfully request that the due date for the filing of the joint
4 pre-trial Order be extended by two (2) weeks, from March 21, 2022 to April 4, 2022.

5 Dated this 18th day of March, 2022

Dated this 18th day of March, 2022

6 **MARQUIS AURBACH COFFING**

COFER & GELLER, LLC

7 By: /s/ Scott A. Marquis, Esq.

By: /s/ Howard R. Birnbach, Esq.

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IT IS SO ORDERED.

Dated this 18 day of March, 2022


Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT

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